

Application Serial No. 10/659,146
Attorney Docket No. 60027.0329US01/BS030147

REMARKS

This Amendment is in response to the Office Action dated December 1, 2006. Claims 1-24 were examined in the Office Action and reconsideration based on this Amendment and the following remarks are respectfully requested.

Claim Rejection - 35 U.S.C. § 102(e)

Claims 1-24 were rejected under 35 U.S.C. 102(e) as being anticipated by MacNamara et al., U.S. Patent No. 6,990,187 (hereinafter, "MacNamara"). Applicant respectfully traverses this rejection because the cited reference does not teach or suggest each and every feature of independent claims 1, 15, and 23.

Claim 1, 15, and 23

Applicant's amended claim 1 is allowable over the cited reference at least because claim 1 recites "in response to intercepting the call from reaching the subscriber of the call screening service, requesting that the calling party record a name of the calling party prior to routing the call to the subscriber." Independent claims 15 and 23 have similar recitations. This amendment is supported in the specification at least on page 14 lines 8-12.

In contrast, MacNamara discloses methods for blocking repeated occurrences of nuisance calls by identifying the call as undesirable after answering, screening, or reviewing recorded messages of connected/terminated calls. Once a calling directory number of a nuisance call has been added to the blocking database, the method disclosed in MacNamara only either routes the call to an announcement or ends the call without announcement. (See MacNamara abstract, column 5, line 53- column 9, line 17, specifically column 9, lines 1-2). Thus, MacNamara does not contemplate or disclose requesting that the calling party record a name of the calling party prior to routing the call to the subscriber in response to intercepting the call as recited in claims 1, 15, and 23. Thus, claims 1, 15, and 23 are allowable over MacNamara.

Dependent Claims

Applicant's amended claim 2 is allowable over the cited reference at least because claim 2 recites "analyzing the termination status of at least each inbound call to the calling telephone directory numbers, the calling telephone directory numbers, and the called telephone directory numbers to determine a calling pattern for each of the calling telephone directory numbers, determining whether the calling pattern for any of the calling telephone directory numbers match

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a profile of telemarketer communications, and when the calling pattern for any of the calling telephone directory numbers match the profile of telemarketer communications, storing those calling telephone directory numbers having a calling pattern that matches the profile in the database of telephone directory numbers associated with telemarketer communications.” This amendment is supported in the specification at least on page 11, lines 12-24.

In contrast, MacNamara only discloses populating the blocking database as requested by the subscriber or customer. (See MacNamara abstract, column 5, line 53 - column 9, line 17). MacNamara does not contemplate or disclose analyzing the directory numbers and termination status to determine a telemarketer calling pattern for adding directory numbers with that pattern to the telemarketer communications database as recited in claim 2. Thus, claim 2 is also allowable over MacNamara at least for this reason.

Dependent Claims

At least because claims 2-14, 16-22, and 24 inherit the language of allowable independent claims 1, 15, or 23, claims 2-14, 16-22, and 24 are also allowable over MacNamara.

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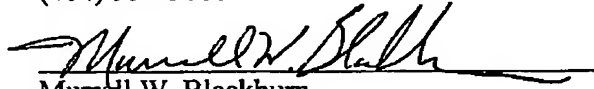
CONCLUSION

In view of the foregoing remarks, Applicants respectfully request the reconsideration and reexamination of this application and the timely allowance of the pending claims. The preceding arguments are based only on the arguments in the Office Action, and therefore do not address patentable aspects of the invention that were not addressed by the Examiner in the Office Action. The claims may include other elements that are not shown, taught, or suggested by the cited art. Accordingly, the preceding argument in favor of patentability is advanced without prejudice to other bases of patentability. Furthermore, the Office Action contains a number of statements reflecting characterizations of the related art and the claims. Regardless of whether any such statement is identified herein, Applicants decline to automatically subscribe to any statement or characterization in the Office Action.

Respectfully submitted,

MERCHANT & GOULD P.C.
P.O. Box 2903
Minneapolis, Minnesota 55402-0903
(404) 954-5100

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Murrell W. Blackburn
Reg. No. 50,881

